

UNITED STATES DISTRICT COURT

LEMON BAY PARTNERS, LLP District of Delaware

v.

BRUCE L. HAMMONDS, KENNETH A.  
VECCHIONE, RICHARD K. STRUTHERS, JOHN R.  
COCHRAN, III, LANCE L. WEAVER, CHARLES C.  
KRULAK, MICHAEL G. RHODES, JOHN W.  
SCHEFLEN, JAMES H. BERICK, MARY M. BOIES  
BENJAMIN R. CIVILETTI, WILLIAM L. JEWS,  
RANDOLPH D. LERNER, STUART L.  
MARKOWITZ, WILLIAM B. MILSTEAD, LAURA  
S. UNGER and THOMAS G. MURDOUGH,  
and  
MBNA CORP., Nominal Defendant

SUMMONS IN A CIVIL CASE

CASE NUMBER: 05-Civ-327-GMS

TO: (Name and address of Defendant)

James H. Berick  
c/o Rick Pepperman  
Sullivan & Cromwell LLP  
125 Broad Street  
New York, New York 10004-2498

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Robert R. Davis  
Chimicles & Tikellis LLP  
One Rodney Square  
P.O. Box 1035  
Wilmington, DE 19899

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

JUL 27 2005

CLERK

DATE

Evelle Watson  
(By) DEPUTY CLERK

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

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